

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

April 21, 2016

- I. **ROLL CALL:** Meeting called to order at 6:00 p.m.
Present: Katherine Borges, Steve Boyd, Marc Etchebarne, Tom Orvis, Bobby Yamamoto
Absent: Ron Peterson, Kenneth Buehner, Richard Gibson and Scott Hicks
Staff Present: Angela Freitas, Director; Miguel Galvez, Deputy Director; Kristin Doud, Associate Planner; Jeremy Ballard, Assistant Planner; Timothy Vertino, Assistant Planner; Thomas E. Boze, Assistant County Counsel; Paul Saini, Associate Civil Engineer, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Jennifer Akin, Planning Commission Clerk

II. **PLEDGE OF ALLEGIANCE**

III. **CITIZEN'S FORUM** – No one spoke.

IV. **APPROVAL OF MINUTES**

- A. April 7, 2016 – Due to the lack of quorum, approval of the minutes is continued to the May 5, 2016, Planning Commission Meeting.

V. **CORRESPONDENCE**

Director Freitas informed the Commissioners of one item of correspondence placed before them this evening:

- A. Memo dated April 21, 2016, from the Stanislaus County Department of Planning and Community Development regarding item VII-C – Rezone & Merger Application No. PLN2015-0113 – Derrel's Mini Storage – Equitybak, LP.

Director Freitas informed the Commissioners, that due to the absence of Chair and Vice-Chair, the Commission is required to elect a member to serve as acting Chair for tonight's meeting. Orvis/Yamamoto (5/0) **APPROVED THE RECOMENDATION FOR COMMISSIONER STEVE BOYD TO SERVE AS ACTING CHAIR.**

VI. **CONFLICT OF INTEREST** – None.

VII. **PUBLIC HEARINGS (* - Consent Items)**

Commissioner Boyd informed the public of the consent items and procedure.

Dennis Wilson, Horizon Consulting, requested item VII-A – Vesting Tentative Parcel Map Application No. PLN2015-0104- Ciccarelli be moved from Consent.

Orvis/Etchebarne (5/0) **APPROVED ITEM VII-A BE REMOVED FROM CONSENT AND BE HEARD AS NON-CONSENT.**

Item VII-A was heard as a non-consent item following item VII-C.

*** CONSENT ITEMS**

- *A. VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2015-0104 – CICCARELLI** - Request to subdivide a 40 acre parcel zoned A-2-10 (General Agriculture) into four (4) 10 acre parcels. The project is located at 2513 Shoemake Avenue, east of Dakota Avenue, west of Highway 99, inside the City of Modesto's Sphere of Influence. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project. APN: 005-052-002
Staff Report: Timothy Vertino, Assistant Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOITION: None.
FAVOR: Dennis Wilson, Horizon Consulting

Mr. Wilson requested the Conditions of Approval from the City of Modesto be amended regarding road reservations.

Assistant County Counsel, Thomas Boze, recommended that due to the late notice of the requested changes to the Conditions of Approval, that the item be continued to the May 19, 2016, Planning Commission meeting allowing staff further time to review the matter.

Public hearing closed.

Orvis/Yamamoto (5/0) **APPROVED COUNTY COUNSEL RECOMMENDATION TO CONTINUE TO MAY 19, 2016.**

- *B. USE PERMIT APPLICATION NO. PLN2014-0044 – KB DAIRY – Requesting continuance to May 5, 2016** - Request to increase the number of permitted cows on an existing dairy in the A-2-40 (General Agriculture) zoning district, from 851 to 2,150, consisting of: 1,500 milk cows; 300 dry cows; 75 bred heifers (15-24 months); 220 calves (4-6 months); and 55 calves (0-3 months) on an existing dairy facility. The 105± acre property is located at 3701 Langworth Road, at the southwest corner of Langworth and Rice Roads, east of the City of Modesto and southeast of the City of Riverbank. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project. APN: 014-015-002
Staff Report: Kristin Doud, Associate Planner, Recommends **CONTINUANCE**.
Orvis/Borges (5/0) **APPROVED THE STAFF RECOMMENDATION TO CONTINUE TO MAY 5, 2016.**

NON-CONSENT ITEMS

- C. REZONE & MERGER APPLICATION NO. PLN2015-0113 – DERREL'S MINI STORAGE – EQUITYBAK, LP** - Request to rezone expired Planned Development (P-D)(202) to a new P-D and to merge three adjoining parcels into one 3.0 +/--parcel to allow for 100 spaces of RV storage. The project site is located 5038 Tunson Road, north of the State Route 219/Kiernan Avenue, east of Tully Road and west of State Route 108/McHenry Avenue. The Planning

Commission will consider adoption of a CEQA Negative Declaration for the project. APN: 004-057-003, 004-057-004, 004-057-005
Staff Report: Jeremy Ballard, Assistant Planner, Recommends **CONTINUANCE**.
Orvis/Yamamoto (5/0) **APPROVED THE STAFF RECOMMENDATION, AS OUTLINED IN CORRESPONDENCE ITEM V-A, TO CONTINUE TO MAY 19, 2016.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS) – None.

IX. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

April 19, 2016: Set a Public Hearing for May 3, 2016 at 9:10 a.m. to consider the Planning Commission's recommendation for approval of Rezone and Parcel Map Application No. PLN2015-0027 – Valley BMW – Kia.

MISCELLANEOUS & ON THE HORIZON

- The Planning Department released the Draft Environmental Impact Report (DEIR) for the Stanislaus County General Plan Update and Airport Land Use Commission Compatibility Plan Update. The Draft EIR, along with the draft General Plan and ALUCP, is available for public and agency review for a 45-day period, on the County's website, beginning April 19, 2016, and ends at 5:00 p.m. on Friday, June 3, 2016. The Planning Commission will hold a public hearing on July 21, 2016, to consider the General Plan update, the Final EIR, and make its recommendation to the Board of Supervisors.

Planning Commission

May 5, 2016: Use Permit Application PLN2015-0012 – Top Notch Kennel – Pee Wee Cottage in the Modesto area. Applicant/Property Owner is Lisa Moore Weinheimer.

Variance Application PLN2016-0021 – Gallo Glass – Tenaya Drive, in the Modesto area. Applicant Rod Hawkins, Hawkins & Associates Engineering, Inc. Property owner is E & J Gallo Winery.

Continued item - Use Permit Application PLN2014-0044 – KB Dairy, in the Modesto area. Applicant/Property owners are Pacheco 1999 Family Limited Partnership.

May 19, 2016: Parcel Map continued from this evening. Three Use Permits - one each in the Cities of Ceres, Turlock and Oakdale. One Parcel Map in the Crows Landing area. One continued item from April 21, 2016.

Director Freitas informed the Planning Commissioners that Ron Peterson has tendered his resignation from the Planning Commission to the Board of Supervisors on April 15, 2016; the Board will consider his resignation on April 26, 2016.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN – None.

XI. ADJOURNMENT

The meeting was adjourned at 6:23 p.m.

Signature on file.

Angela Freitas, Secretary

(The above is a summary of the minutes of the Planning Commission. Complete tape(s) of the meeting are available from the Planning Department.)